

**MINUTES**  
**TENNESSEE COUNCIL OF CERTIFIED PROFESSIONAL MIDWIFERY**  
**December 17, 2004**

The Tennessee Council of Certified Professional Midwifery was held in the Tennessee Room located on the Ground Floor of the Cordell Hull State Office Building on December 17, 2004.

Members in attendance: Pame Moore Morrow, Carol Nelson, CPM, Debi Church, CPM, Carlotta Crawford, CNM, Kim Mosny, CPM, and Mary Anne Richardson, CPM

Members absent: Dr. Rufus Clifford, MD, Dr. Cornelia R Graves, MD and Dr. Scott Matson, DO.

Staff Present: Ms. Sheila Bush, Administrator, Ms. Marsha Arnold, Manager, Robert Kraemer, Advisory Attorney, Rosemarie Otto, Executive Director, Lisa Tittle, Director of Administrative Services, Jerry Kosten, Rules Coordinator and Denise Moran, Director of the Bureau of Investigations.

Ms. Kim Mosny, Vice-Chairperson, called the meeting to order at 9:30 am. It was established that a quorum of members was present in order to conduct business.

**Minutes**

After review of the minutes from the June 25, 2002 council meeting, Ms. Carol Nelson made a motion to accept the minutes as written. Ms. Debi Church seconded the motion. The motion carried.

After review of the minutes from the October 21, 2003 Council meeting, Ms. Mary Anne Richardson made a motion to accept the minutes as written. Ms. Nelson seconded the motion. The motion carried.

After review of the minutes from the October 21, 2004 Council meeting and the October 26, 2004 teleconference, Ms. Church made a motion to accept the minutes as written. Ms. Carlotta Crawford seconded the motion. The motion carried.

**Financial Report**

Ms. Lisa Tittle, Director of Administrative Services, gave the financial report and explained the items listed on the financial report. Ms. Tittle also explained to the Council that they have a legal responsibility to be self-sufficient.

**Director/Manager Report**

Ms. Rosemarie Otto, Executive Director, informed the Council that as of October 31, 2004, they have a total of 24 licensees.

## **HIPPA**

Ms. Denise Moran, Director of Bureau of Investigations, trained the Council on the HIPPA regulations that the Department of Health has implemented with the administrative staff and explained that the Council is considered employees of the State of Tennessee.

## **Investigations Report**

Ms. Moran informed the Council that there are four (4) complaints in the Office of Investigations.

## **Disciplinary Report**

Ms. Otto informed the Council that there are not licensees currently being monitored.

## **Office of General Counsel**

Mr. Robert Kraemer, Advisory Attorney, informed the Council that there are not cases pending in the Office of General Counsel. Mr. Kraemer also explained to the Council the options of increasing the application and renewal fees or becoming an entity under the Osteopathic Examinations Board, because of the deficit. On the financial report it states that the Office of General Counsel was paid \$2,258 and Mr. Kraemer informed the Council that he isn't sure how this was calculated because he hasn't done any work for the Council. Ms. Nelson asked if Ms. Tittle could come back and explain that expenditure. Ms. Tittle explained to the Council that her office receives paperwork showing what department had expenses for each of the professional boards and that she would go back and review the data that she has received and will have it ready for the Council at the next scheduled meeting.

## **Rulemaking Hearing**

Mr. Jerry Kosten, Rules Coordinator, informed the Council that a roll call vote was needed for the rulemaking hearing that was held on December 23, 2003. The rulemaking hearing was for rule 1050-3-.15 which pertains to disciplinary proceedings. Ms. Richardson made a motion to adopt rule 1050-3-.15. Ms. Crawford seconded the motion. A roll call vote was needed and the motion passed on the affirmative.

Mr. Kosten informed the Council that if they authorized a rulemaking hearing to increase the fees, that the rule may not become effective for at least one (1) year. Ms. Nelson made a motion to authorize a rulemaking hearing to increase the application and renewal fees from \$500.00 to \$1,000.00. Ms. Crawford seconded the motion. The motion carried with a roll call vote.

## **General Discussion**

Ms. Otto informed the Council about Public Chapter 872 from the 2002 calendar year pertained to the education of women about different types of cancers. Mr. Kraemer informed the Council

about Public Chapter 575 which is the second HIPPA bill. The Public Chapter allows members of the profession to act as consultants and review cases instead of a Council member. Ms. Nelson made a motion to designate the consultant to be the independent reviewer for the Council. Ms. Richardson seconded the motion. The motion carried.

Ms. Otto informed the Council of the Lapsed Licensed Policy. The Policy deals with licensees that may be working on an expired license. Ms. Church made a motion to adopt the Lapsed License Policy with the following corrections; the licensee will be charged an additional fee of \$100.00 for each month if they are working thirty (30) days past the expiration date. Ms. Nelson seconded the motion. The motion carried.

Ms. Richardson asked the administrative staff to write a letter to Dr. Scott Matson asking for his resignation as a member of the Council.

Ms. Nelson spoke to the Council about gathering data concerning the types of births or procedures that were needed during a particular birth. Ms. Nelson will bring the documents showing how the data needs to be collected at the next meeting. The Council would also like for the administrative staff to contact the Office of Vital Records for information concerning the number of midwives participating in the birthing process.

### **Election of Officers**

Ms. Church made a motion to nominate Ms. Richardson as Chairperson for the Council. Ms. Crawford seconded the motion. The motion carried.

Ms. Richardson made a motion to nominate Ms. Nelson as Vice-chairperson for the Council. Ms. Crawford seconded the motion. The motion carried.

Ms. Morrow made a motion to adjourn the meeting at 11:35a.m. Ms. Crawford seconded the motion. The motion carried.

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